

Case No. 1:08-CV-384
Gwin, J.

attorney's fees. Moreover, Plaintiff Livingston has made no motion for the enlargement of time under Federal Rule of Civil Procedure 6(b) and the Court has not issued an order granting Plaintiff Livingston additional time to file his motion for attorney's fees. As a result, Plaintiff Livingston's motion for attorney's fees is untimely and it must be **DENIED**. The Court therefore **GRANTS** Defendant Cavalry's motion to strike the Plaintiff's motion for attorney's fees.

IT IS SO ORDERED.

Dated: June 30, 2009

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE